

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JAMAL THOMPSON,

Petitioner,

No. C 07-6420 PJH (PR)

vs.

ORDER OF DISMISSAL

BEN CURRY, Warden,

Respondent.

This is a habeas case brought pro se by a state prisoner. The petition is directed to a denial of parole by the Board of Parole Hearings, but petitioner did not say in the original petition what decision he sought to challenge. Saying that “[n]either the respondent nor the court should have to guess which decision is meant,” the court dismissed the petition with leave to amend. Petitioner has amended.

In the amendment he still does not identify the hearing he seeks to challenge. Given that in the order dismissing with leave to amend the court said how the petitioner could identify the decision at issue – “for instance by giving the date of the decision” – the failure to remedy the deficiency is egregious. The case therefore is **DISMISSED** without prejudice for failure to comply with a court order. See Fed. R.Civ.P. 41(b). This dismissal does not in itself prevent petitioner from filing a new case going to the same parole board decision, but if he does so, he must clearly identify the decision at issue.

IT IS SO ORDERED.

Dated: February 28, 2008.


PHYLLIS J. HAMILTON
United States District Judge